

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(Nevada)

GREGORY W. BOCK, as Trustee, etc.,

Plaintiff and Appellant,

v.

CALIFORNIA CAPITAL LOANS, INC. et al.,

Defendants and Respondents.

C069863

(Super. Ct. No. 76151)

MODIFICATION OF
OPINION

(NO CHANGE IN
JUDGMENT)

APPEAL from a judgment of the Superior Court of Nevada County, Sean P. Dowling, Judge. Affirmed.

John J. Hartford; Wilson & Wilson and Donald A. Wilson for Plaintiff and Appellant.

Jay-Allen Eisen Law Corporation, Jay-Allen Eisen, Aaron S. McKinney; The Law Offices of Kirk S. Rimmer and Kirk S. Rimmer for Defendant and Respondent.

THE COURT:

The opinion of this court filed May 14, 2013, in the above entitled case is modified as follows:

The second sentence of the second paragraph on 8 page beginning “According to Bock” is deleted and the following sentence is inserted in its place:

According to Bock, the interest that the lender, California Capital, was to have earned on the loan cannot be considered compensation to Speckert for purposes of section 1916.1, even though Speckert was the sole shareholder of the corporation, and since Speckert did not take a commission on the transaction, Speckert did not act for compensation or in expectation of compensation in arranging the loan.

This modification does not affect the judgment.

ROBIE, Acting P. J.

MURRAY, J.

DUARTE, J.